

### **REMARKS**

In the Office Action, claims 1-13, 17-33, 37 and 38 were rejected and objections were made to claims 14-16 and 34-36. By the present response, claims 1, 14, 15, 19, 34, and 35 have been amended. Upon entry of the amendments, claims 1-38 will be pending in the application. Reconsideration and allowance of all pending claims are requested.

### **Objections**

Claims 14-16 and 34-36 were objected to as being dependent upon independent claims 1 and 19 respectively, were indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By the present response, a recitation of claim 14 has been incorporated into claim 1, and a similar recitation of claim 34 has been incorporated into claim 19.

### **Rejections Under 35 U.S.C. § 102**

Claims 1, 2, 5, 6, 8, 11-13, 17-20, 23, 24, 26, 28 30-33, 37 and 38 were rejected under 35 U.S.C 102(b) as being anticipated by Grimes et al. (U.S. Patent No. 6,397,661, hereinafter "Grimes A").

Claim 1 has been amended to incorporate allowable subject matter from claim 14, and claim 19 had been amended to incorporate allowable subject matter from claim 34. Independent claims 1 and 19 now include recitations relating to a microheater disposed between the sensing layer and the soft magnetic layer. Grimes A does not teach or even suggest such a microheater.

Applicants therefore submit that claims 1 and 19 are allowable because Grimes A cannot support a *prima facie* case of anticipation of claims 1 and 19 as amended.

**Rejections Under 35 U.S.C. § 103**

Claims 7, 10, 25 and 30 were rejected under 35 U.S.C 103(a) as being unpatentable over Grimes A. Claims 7 and 10 are believed to be clearly patentable over Grimes A by virtue of dependency from allowable base claim 1. Similarly, claims 25 and 30 are clearly patentable over Grimes A by virtue of dependency from allowable base claim 19.

Claims 3, 4, 9, 21 and 22 were rejected under 35 U.S.C 103(a) as being unpatentable over Grimes A in view of Grimes et al. (U.S. Patent No. 6,359, 444, hereinafter "Grimes B"). Claims 3, 4 and 9 depend directly on allowable base claim 1. Accordingly, these claims are believed to be clearly patentable at least by virtue of their dependency from the allowable base claim. Similarly, claims 21 and 22 are believed to be clearly patentable at least by virtue of their dependency from the allowable base claim 19.


Claim 27 was rejected under 35 U.S.C 103(a) as being unpatentable over Grimes A in view of Grimes B in further view of Fan et al. (U.S. Patent Published Application 2004/0105087, hereinafter "Fan"). Claim 27 depends directly on allowable base claim 19. Accordingly, these claims are believed to be clearly patentable at least by virtue of their dependency from the allowable base claim.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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